

STAY, TRANSFERRED MDL

**U.S. District Court
Northern District of Alabama (Western)
CIVIL DOCKET FOR CASE #: 7:07-cv-00045-HGD**

Dunlap v. Pfizer Inc. et al
Assigned to: Magistrate-Judge Harwell G Davis, III
Cause: 28:1441 Petition for Removal- Product Liability

Date Filed: 01/05/2007
Jury Demand: Plaintiff
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Federal Question

Plaintiff

Sandra S. Dunlap
*as the Administratrix of the Estates of
Thomas Dudley Dunlap*

represented by **Gerald B Taylor, Jr**
BEASLEY ALLEN CROW METHVIN
PORTIS & MILES PC
P.O. Box 4160
Montgomery, AL 36103-4160
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V.

Defendant

Pfizer Inc.
a Delaware Corporation

represented by **Lawrence B Clark**
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ
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420 20th Street North
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Defendant

Pharmacia Corporation
a Delaware Corporation

represented by **Lawrence B Clark**
(See above for address)
LEAD ATTORNEY
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Michael J Asbell
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Monsanto Company
a Delaware Corporation

represented by **Lawrence B Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J Asbell
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

G.D. Searle, LLC

represented by **Lawrence B Clark**

a Delaware Corporation

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J Asbell
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bryan G. Robinson

Date Filed	#	Docket Text
01/05/2007	<u>1</u>	NOTICE OF REMOVAL by Pharmacia Corporation, Monsanto Company, G.D. Searle, LLC, Pfizer Inc., from Circuit Court of Tuscaloosa County, Alabama, case number 63-CV-06-900022. (Filing fee \$ 350, receipt number: 200 232639)filed by Pharmacia Corporation, Monsanto Company, G.D. Searle, LLC, Pfizer Inc. (Attachments: # <u>1</u> Notice of Removal part 2)(AHI) (Entered: 01/09/2007)
01/05/2007	<u>2</u>	NOTICE of Certificate of Filing Notice of Removal by Pharmacia Corporation, Monsanto Company, G.D. Searle, LLC, Pfizer Inc. (AHI) (Entered: 01/09/2007)
01/05/2007	<u>3</u>	ANSWER to Complaint by Pharmacia Corporation, Monsanto Company, G.D. Searle, LLC, Pfizer Inc.(AHI) (Entered: 01/09/2007)
01/08/2007	<u>4</u>	NOTICE of Corporate Disclosure by Pharmacia Corporation, Monsanto Company, G.D. Searle, LLC, Pfizer Inc. (AHI) (Entered: 01/09/2007)
01/08/2007	<u>5</u>	MOTION to Stay all proceedings pending transfer to MDL by Pharmacia Corporation, Monsanto Company, G.D. Searle, LLC, Pfizer Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D) (AHI) (Entered: 01/09/2007)
01/10/2007		ORDER granting <u>5</u> Motion to Stay. Signed by Judge Harwell G Davis III on 1/10/07. (LBG,) (Entered: 01/10/2007)
03/02/2007	<u>6</u>	ORDER Transferring Case to MDL: ORDER of Judicial Panel on Multidistrict Litigation transferring this case to the Northern District of California for inclusion in MDL 05-1699; certified copy of docket entries and documents requested by transferee clerk emailed to Clerk of Court in District of Northern District of California. (MNH) (Entered: 03/02/2007)
03/02/2007	<u>7</u>	NOTICE of transmittal letter to the Northern District of California. Copies of transfer order, docket sheet and files emailed as requested to be included in MDL. (MNH) (Entered: 03/02/2007)

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07/05/2007 15:37:47			
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Billable Pages:	2	Cost:	0.16

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

HENRY C. MORRIS,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:06-cv-349-MEF
)	
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Upon consideration of the plaintiff's Motion to Expedite Ruling on Motion to Remand
(Doc. #16) filed on May 25, 2006, it is hereby

ORDERED that the motion is DENIED.

DONE this 26th day of May, 2006.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE

DONE, this 5th day of December, 2005.

/s/ Susan Russ Walker

SUSAN RUSS WALKER

UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KATIE THOMAS,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:05-cv-824-F
)	
PFIZER, INC., <i>et. al.</i> ,)	
)	
Defendants.)	

ORDER

This cause is before the Court on Defendants' Motion for a Stay of All Proceedings Pending Transfer to Multidistrict Litigation Proceeding (Doc. # 14) filed on September 26, 2005. The Court has considered the arguments in support of and in opposition to this motion. It is hereby ORDERED as follows:

1. Defendants' Motion for a Stay of All Proceedings Pending Transfer to Multidistrict Litigation Proceeding (Doc. # 14) is GRANTED and this case is STAYED pending a final decision from the Panel on Multidistrict Litigation on transfer of this case to the multi-district litigation proceeding.

2. A ruling on Plaintiffs' Motion to Remand (Doc. # 7) filed on September 7, 2005 is WITHHELD pending a final decision from the Panel on Multidistrict Litigation on transfer of this case to the multi-district litigation proceeding.

DONE this 15th day of November, 2005.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DONALD L. MCGRADY,

Plaintiff,

v.

PFIZER, INC., *et. al.*,

Defendants.

))))))))

Case No.: 2:06-cv-431-MEF

ORDER

This cause is before the Court on Defendants' Motion for a Stay of All Proceedings Pending Transfer to Multidistrict Litigation Proceeding (Doc. # 5) filed on May 22, 2006. The Court has considered the arguments in support of and in opposition to this motion. It is hereby ORDERED that the motion is GRANTED and this case is STAYED pending a final decision from the Panel on Multidistrict Litigation on transfer of this case to the multi-district litigation proceeding.

DONE this 23rd day of May, 2006.

/s/ Mark E. Fuller

CHIEF UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

WILLIAM RANDOLPH HALL, SR.,)
As the Administrator of the Estate of)
WILLIAM RANDOLPH HALL, JR.,)

Plaintiff,)

v.)

PFIZER, INC., *et. al.*,)

Defendants.)

CASE NO. 2:05-cv-941-F

ORDER

This cause is before the Court on Defendants' Motion for a Stay of All Proceedings Pending Transfer to Multidistrict Litigation Proceeding (Doc. # 9) filed on 21 October 2005. The Court has considered the arguments in support of and in opposition to this motion. It is hereby ORDERED as follows:

1. Defendants' Motion for a Stay of All Proceedings Pending Transfer to Multidistrict Litigation Proceeding (Doc. # 9) is GRANTED. This cause is STAYED pending MDL transfer to *In re Bextra and Celebrex Marketing, Sales Practices and Products Liability Litigation, MDL-1699*.
2. A ruling on Plaintiffs' Motion to Remand (Doc. # 7) filed on 7 October 2005 is WITHHELD pending a final decision from the Panel on Multidistrict Litigation on transfer of this case to the multi-district litigation proceeding.
3. Defendant's Motion for Leave to File Reply (Doc. # 12) is DENIED as

MOOT.

DONE this 21ST day of November, 2005.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANN BEVERLY, etc., :
 :
Plaintiff, :
 :
vs. : CIVIL ACTION 05-0542-M
 :
PFIZER INC., et al., :
 :
Defendants. :

ORDER

The Court heard from counsel this date by telephone on the Notice of Parties' Planning Meeting (Doc. 15) and the status of this action. It appears that this action will be transferred as a tag-along action to the Northern District of California within the next several days, to become a part of MDL-1699, *In re Bextra and Celebrex Marketing, Sales, Practices and Products Liability Litigation*. Therefore, Defendants' Motion for a Stay of All Proceedings Pending Transfer to Multidistrict Litigation Proceeding (Doc. 7) is **GRANTED**.

Plaintiff's Motion for Expedited, Emergency Ruling (Doc. 10) is **MOOT**. Plaintiff's Emergency Motion to Remand and Motion for Sanctions (Doc. 9), with supporting brief (Doc. 11), and Defendants' Reply Brief (Doc. 13) will be considered if and when this action is remanded to this District.

The fictitious parties set out in the complaint are

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hereby **STRICKEN** since fictitious party pleading is not generally recognized under the Federal Rules of Civil Procedure. See e.g., Fed.R.Civ.P. 10(a); 28 U.S.C. § 1441(a); Rommell v. Automobile Racing Club of America, Inc., 964 F.2d 1090, 1098 n.14 (11th Cir. 1992); Weeks v. Benton, 649 F.Supp. 1297, 1298 (S.D. Ala. 1986).

Counsel for the parties are to ensure that all future filings contain the correct and proper names of the corporate Defendants as more fully set out in Defendants' Answer (Doc. 2).

DONE this 17th day of November, 2005.

s/BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE